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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,555	01/21/2004	Jong-ha Lee	1793.1186	8647
21171	7590	08/24/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				TRAN, CONGVAN
		ART UNIT		PAPER NUMBER
		2617		

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/760,555	LEE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	CongVan Tran	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 21 January 2004.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-55 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugimura et al. (2003/0115473).

Regarding claims 1-6, 23-45, Sugimura discloses a biometrics authentication system and method, comprising: determining whether the graphical password has been input (see abstract, figs.1-6, element 1, paragraph [0033]and its description); determining whether to authenticate the user depending on whether the extent to which a location of the input graphical password matches with a reference location of a registered graphical password is within an authentication margin for a location of any input graphical password with respect to the reference location of the registered graphical password (see figs.1-2, and its description); storing a graphical password input history if the user is not authenticated; determining whether there has been an intrusion by referring to the graphical password input history (see fig.1, element 3 and its description); and reducing the authentication margin if determined that there has been an intrusion (see fig.2 and its description).

Regarding claims 7-22, and 46 Sugimura discloses a biometrics authentication system and method, comprising: determining whether the graphical password has been input (see figs.1-6, element 1, paragraph [0033] and its description); variably setting a threshold value of biometrics depending on the extent to which the input graphical password matches with a registered graphical password (see fig.2, and its description); and determining whether to authenticate the user based on a result of comparing the user's biometrics information with registered biometrics (see fig. 1, elements 2-6, and its description).

Regarding claims 47-53, Sugimura discloses a biometrics authentication system and method, comprising: comparing an input graphical password to a registered graphical password and outputting a valid result when the input graphical password is within a predetermined proximity window of the registered graphical password and outputting an invalid result when the input graphical password is outside the predetermined proximity window of the registered graphical password, wherein the user is authenticated when the valid result is output (see figs.1-2, elements 1-6, and its description); and adjusting the predetermined proximity window, wherein the predetermined proximity window is decreased when the invalid result is output (see fig.2 and its description).

Regarding claim 54-55, Sugimura discloses a biometrics authentication system and method, comprising: a graphical password input unit which receives a graphical password input by a user, wherein a key manipulation unit is not used to input the graphical password (see fig.1, elements 1-2, and its description); a storage unit which

stores registered graphical password and registered biometrics information corresponding to authorized users (see fig.1, element 3, and its description); a control unit which variably sets a threshold biometrics value depending on the degree to which the input graphical password is proximate to the registered graphical password (see fig.2, and its description); and a biometrics unit which reads the user's biometrics information and determines whether to authenticate the user based on a result of comparing the user's biometrics information with the registered biometrics using the set threshold biometrics value (see figs.1-2, elements 3-6 and its description).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
CONGVAN TRAN  
PRIMARY EXAMINER

CongVan Tran  
Primary Examiner  
Art Unit 2617

Aug. 19, 2006.